IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 3689 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

PB PATEL - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

==========

Appearance :
MR PARESH UPADHYAY for Petitioner(s) : 1,
MR MAULIK NANAVATI, AGP for Respondent(s) : 1 - 3.

==========

CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 23/11/2006

ORAL JUDGMENT

1. By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for appropriate writ, order or direction quashing and

setting aside the chargesheet issued by the respondent Government on 29.3.1997.

2. While admitting the present Special Civil Application and considering the interim relief on 29.7.1997, learned Single Judge refused to grant the interim relief staying the departmental inquiry on the basis of the aforesaid chargesheet.

3. Today, when the matter is called out Mr.Maulik Nanavati, learned AGP, has submitted that during pendency of the present Special Civil Application, the departmental inquiry has been proceeded further and has been concluded and punishment has already been imposed upon the petitioner.

4. In view of the above, when the departmental inquiry is already concluded and the order of punishment is already is passed, no further order is required to be passed by this Court quashing and setting aside the chargesheet and to that extent, the present Special Civil Application has become infructuous. Hence, this Special Civil Application is dismissed. Rule is discharged. Interim relief, if

any, granted earlier stands vacated. No costs.

(M.R.Shah,J)

pathan